

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

Plaintiff,

v.

APPROVED COMPUTER TABLET
PROGRAM, et al.,

Defendants.

No. 2:21-cv-0761 KJM DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims that defendants failed to provide him with a computer tablet.

By order dated December 7, 2021 plaintiff was ordered to either submit a properly completed in forma pauperis application or pay the filing fee in full within thirty days. (ECF No. 7.) Plaintiff was advised that failure to comply with would result in a recommendation that this action be dismissed. (Id. at 2.) Those thirty days have passed, and plaintiff has not submitted an in forma pauperis application, paid the filing fee, requested additional time to do so, or otherwise responded to the court's order. Accordingly, the undersigned will recommend that this action be dismissed for failure to prosecute and failure to comply with court orders.

////


////

////

1 For the reasons set forth above, IT IS HEREBY RECOMMENDED that this action be
2 dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days
5 after being served with these findings and recommendations, plaintiff may file written objections
6 with the court and serve a copy on all parties. Such a document should be captioned “Objections
7 to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
8 objections within the specified time may waive the right to appeal the District Court’s order.
9 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: January 20, 2022

11
12 
13 DEBORAH BARNES
14 UNITED STATES MAGISTRATE JUDGE
15
16
17
18
19

20 DB:12
21 DB/DB Prisoner Inbox/Civil Rights/R/driv0761.f&r
22
23
24
25
26
27
28